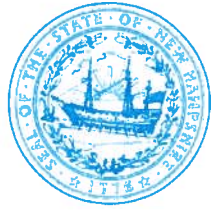




The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



April 4, 2017

The Honorable Kevin Avar
Chair, Senate Energy and Natural Resources Committee
State House, Room 100
Concord, NH 03301

RE: HB431, *Establishing a commission to study long term goals and requirements for drinking water in the seacoast area*

Dear Chairman Avar and Members of the Committee:

Thank you for the opportunity to comment on HB 431. This bill proposes establishing a commission to plan for the long-term goals and requirements for drinking water in the seacoast region of New Hampshire. The New Hampshire Department of Environmental Services (NHDES) supports the concept of this legislation and provides the following information to assist the committee in its considerations.

NHDES, seacoast water systems, and seacoast towns have formally and informally coordinated on water issues over the last thirty years. This past October, seacoast water systems and NHDES conducted a meeting to discuss the ongoing drought, condition of the water systems, and the status of existing or the potential for immediate interconnection of water systems should the drought cause a water supply emergency. All of the large water systems in the seacoast region of New Hampshire participated in this meeting.

NHDES supports the formation of a commission to more formally coordinate water supply issues, provided the water systems and municipalities in the seacoast region support this initiative and have an opportunity to shape the approach and scope of work. Previous water supply and wastewater planning initiatives have been more successful when local entities have helped develop and support the initiative up-front.

If the committee pursues enacting this legislation, NHDES recommends that the membership include the State Geologist, a professional engineer, a professional hydrogeologist, and an expert on the impacts that extreme weather events and ongoing sea level rise are having on water resources and water supply infrastructure. Additionally, NHDES can provide information to identify water systems in the seacoast region as well as towns with a large percentage of residents relying on private wells so that the committee can specifically assess the appropriate study area and associated representatives for the commission. Previous seacoast planning initiatives have also included water systems and communities from Strafford County.

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NHDES also notes that there are existing legal mechanisms for the state, municipalities, and water systems to coordinate on water issues in the seacoast region. The General Court has authorized a Seacoast Water District based on voluntary participation by communities in southeastern New Hampshire to address "intersectional distribution, source location, and other issues related to water resources" (Chapter 42, laws of 1995). The District has not convened to date, and the scope of the District has not been defined further. Similarly, the General Court adopted RSA 485-E: Seacoast Watershed Alliance in 2009 that includes provisions for water supply planning and coordination in the seacoast region. NHDES recommends that the committee consider these existing statutes pertaining to seacoast water supply planning when determining whether to establish an additional similar initiative via HB 431. NHDES also notes that the bill, if enacted, would be located in RSA 485-F: Administration of the Drinking Water and Groundwater Trust Fund, and may better be placed elsewhere in law.

Thank you again for the opportunity to comment on this proposed legislation. If you have questions or need additional information, please contact Sarah Pillsbury, Drinking Water and Groundwater Bureau Administrator (Sarah.Pillsbury@des.nh.gov or 271-1168) or Brandon Kernen (Brandon.Kernen@des.nh.gov or 271-0660).

Sincerely,

A handwritten signature in black ink, appearing to read 'CBF', is written over a faint, larger signature.

Clark B. Freise

Assistant Commissioner

cc: Representatives Messmer, Bean, Malloy, Le, Tilton, Marsh, Cushing, Berrien, Gordon, Marsh
Senators Bradley, Feltes, Fuller Clark, Innis